

§ 351.604

19 CFR Ch. III (4–1–10 Edition)

§ 351.604 Access to information.

Subpart C of this part applies to factual information submitted in connection with this subpart.

Subpart G—Applicability Dates

§ 351.701 Applicability dates.

The regulations contained in this part 351 apply to all administrative reviews initiated on the basis of requests made on or after the first day of July, 1997, to all investigations and other segments of proceedings initiated on the basis of petitions filed or requests made after June 18, 1997 and to segments of proceedings self-initiated by the Department after June 18, 1997. Segments of proceedings to which part 351 do not apply will continue to be governed by the regulations in effect on the date the petitions were filed or requests were made for those segments, to the extent that those regulations were not invalidated by the URAA or replaced by the interim final regulations published on May 11, 1995 (60 FR 25130 (1995)). For segments of proceedings initiated on the basis of petitions filed or requests made after January 1, 1995, but before part 351 applies, part 351 will serve as a restatement of the Department's interpretation of the

requirements of the Act as amended by the URAA.

§ 351.702 Applicability dates for countervailing duty regulations.

(a) Notwithstanding § 351.701, the regulations in subpart E of this part apply to:

(1) All CVD investigations initiated on the basis of petitions filed after December 28, 1998;

(2) All CVD administrative reviews initiated on the basis of requests filed on or after the first day of January 1999; and

(3) To all segments of CVD proceedings self-initiated by the Department after December 28, 1998.

(b) Segments of CVD proceedings to which subpart E of this part does not apply will continue to be guided by the Department's previous methodology (in particular, as described in the 1989 Proposed Regulations), except to the extent that the previous methodology was invalidated by the URAA, in which case the Secretary will treat subpart E of this part as a restatement of the Department's interpretation of the requirements of the Act as amended by the URAA.

[63 FR 65417, Nov. 25, 1998]

ANNEX I TO PART 351—DEADLINES FOR PARTIES IN COUNTERVAILING INVESTIGATIONS

Day ¹	Event	Regulation
0 days	Initiation	
31 days ²	Notification of difficulty in responding to questionnaire.	351.301(c)(2)(iv) (14 days after date of receipt of initial questionnaire)
37 days	Application for an administrative protective order.	351.305(b)(3)
40 days	Request for postponement by petitioner	351.205(e) (25 days or more before preliminary determination)
45 days	Allegation of critical circumstances	351.206(c)(2)(i) (20 days before preliminary determination)
47 days	Questionnaire response	351.301(c)(2)(iii) (30 days from date of receipt of initial questionnaire)
55 days	Allegation of upstream subsidies	351.301(d)(4)(ii)(A) (10 days before preliminary determination)
65 days (Can be extended)	Preliminary determination	351.205(b)(1)
72 days	Submission of proposed suspension agreement.	351.208(f)(1)(B) (7 days after preliminary determination)
75 days ³	Submission of factual information	351.301(b)(1) (7 days before date on which verification is to commence)
75 days	Submission of ministerial error comments	351.224(c)(2) (5 days after release of disclosure documents)
77 days ⁴	Request to align a CVD case with a concurrent AD case.	351.210(i) (5 days after date of publication of preliminary determination)
102 days	Request for a hearing	351.310(c) (30 days after date of publication of preliminary determination)
119 days	Critical circumstances allegation	351.206(e) (21 days or more before final determination)